



Attorney Docket No.: 018158-022520US
Client Ref. No.: VX-1187/1187A

PTO/SB/01A (08-03)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention | **WAVEFRONT CALIBRATION ANALYZER AND METHODS**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application; or
- ☒ Application No. **10/799,439**, filed on **March 12, 2004**,
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1 JUNZHONG LIANG Date: _____
Signature: _____ Citizen of: United States

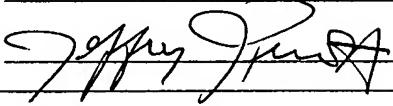
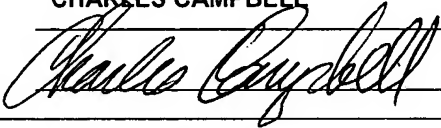
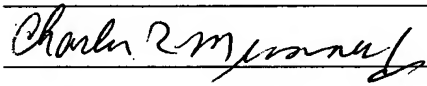
Inventor 2 DIMITRI CHERNYAK Date: 06/16/04
Signature: [Signature] Citizen of: United States

Inventor 3 KINGMAN YEE Date: 6/16/04
Signature: [Signature] Citizen of: United States

Inventor 4 SEEMA SOMANI Date: 06/25/2004
Signature: [Signature] Citizen of: India

☒ Additional inventors are being named on additional form(s) attached hereto.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76) –
ADDITIONAL INVENTOR(S)
Supplemental Sheet
(Total of 1 forms are submitted.)**

FULL NAME OF INVENTOR(S)			
Inventor 5:	JEFFREY J. PERSOFF	Date:	<u>6-21-04</u>
Signature:		Citizen of:	<u>United States</u>
Inventor 6:	WALTER HUFF	Date:	
Signature:		Citizen of:	<u>United States</u>
Inventor 7:	CHARLES CAMPBELL	Date:	<u>June 16, 2004</u>
Signature:		Citizen of:	<u>United States</u>
Inventor 8:	CHARLES R. MUNNERLYN	Date:	<u>June 22, 2004</u>
Signature:		Citizen of:	<u>United States</u>

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76) –
ADDITIONAL INVENTOR(S)
Supplemental Sheet
(Total of 1 forms are submitted.)**

FULL NAME OF INVENTOR(S)

Inventor 9: **BRIAN BLIVEN**

Date:

Signature:

Citizen of: **United States**

Inventor 10:

Date:

Signature:

Citizen of:

Inventor 11:

Date:

Signature:

Citizen of:

Inventor 12:

Date:

Signature:

Citizen of:



Attorney Docket No.: 018158-022520US
Client Ref. No.: VX-1187/1187A

PTO/SB/01A (08-03)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention | **WAVEFRONT CALIBRATION ANALYZER AND METHODS**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/799,439, filed on March 12, 2004,
☐ as amended on _____ (if applicable);

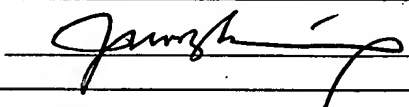
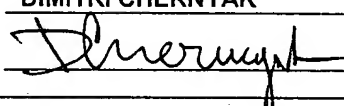
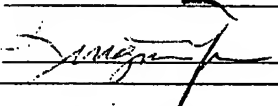
I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1	<u>JUNZHONG LIANG</u>	Date:	<u>6/29/04</u>
Signature:	<u></u>	Citizen of:	<u>United States China</u>
Inventor 2	<u>DIMITRI CHERNYAK</u>	Date:	<u>06/16/04</u>
Signature:	<u></u>	Citizen of:	<u>United States</u>
Inventor 3	<u>KINGMAN YEE</u>	Date:	<u>6/16/04</u>
Signature:	<u></u>	Citizen of:	<u>United States</u>
Inventor 4	<u>SEEMA SOMANI</u>	Date:	_____
Signature:	_____	Citizen of:	<u>India</u>

☒ Additional inventors are being named on additional form(s) attached hereto.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76) –
ADDITIONAL INVENTOR(S)
Supplemental Sheet
(Total of 1 forms are submitted.)**

FULL NAME OF INVENTOR(S)			
Inventor 5:	JEFFREY J. PERSOFF	Date:	
Signature:		Citizen of:	United States
Inventor 6:	WALTER HUFF	Date:	
Signature:		Citizen of:	United States
Inventor 7:	CHARLES CAMPBELL	Date:	<i>June 16, 2004</i>
Signature:	<i>Charles Campbell</i>	Citizen of:	United States
Inventor 8:	CHARLES R. MUNNERLYN	Date:	
Signature:		Citizen of:	United States

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76) –
ADDITIONAL INVENTOR(S)
Supplemental Sheet
(Total of 1 forms are submitted.)**

FULL NAME OF INVENTOR(S)	
Inventor 9: BRIAN BLIVEN	Date: _____
Signature: _____	Citizen of: United States
Inventor 10: _____	Date: _____
Signature: _____	Citizen of: _____
Inventor 11: _____	Date: _____
Signature: _____	Citizen of: _____
Inventor 12: _____	Date: _____
Signature: _____	Citizen of: _____



**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention | **WAVEFRONT CALIBRATION ANALYZER AND METHODS**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/799,439, filed on March 12, 2004,
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1 JUNZHONG LIANG Date: _____

Signature: _____ Citizen of: United States

Inventor 2 DIMITRI CHERNYAK Date: 06/16/04

Signature: *[Signature]* Citizen of: United States

Inventor 3 KINGMAN YEE Date: 6/16/04

Signature: *[Signature]* Citizen of: United States

Inventor 4 SEEMA SOMANI Date: _____

Signature: _____ Citizen of: India

☒ Additional inventors are being named on additional form(s) attached hereto.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76) –
ADDITIONAL INVENTOR(S)
Supplemental Sheet
(Total of 1 forms are submitted.)**

FULL NAME OF INVENTOR(S)

Inventor 5: **JEFFREY J. PERSOFF**

Date:

Signature: _____

Citizen of: United States

Inventor 6: **WALTER HUFF**

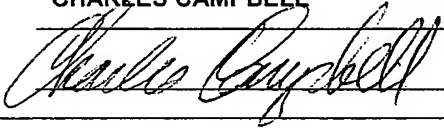
Date:

Signature: _____

Citizen of: United States

Inventor 7: **CHARLES CAMPBELL**

Date:

Signature: 

Citizen of: United States

June 16, 2007

Inventor 8: **CHARLES R. MUNNERLYN**

Date:

Signature: _____


Citizen of: United States

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76) –
ADDITIONAL INVENTOR(S)
Supplemental Sheet
(Total of 1 forms are submitted.)**

FULL NAME OF INVENTOR(S)

Inventor 9: **BRIAN BLIVEN**

Date: **8-11-04**

Signature: 

Citizen of: **United States**

Inventor 10:

Date:

Signature:

Citizen of:

Inventor 11:

Date:

Signature:

Citizen of:

Inventor 12:

Date:

Signature:

Citizen of:



Attorney Docket No.: 018158-022520US
Client Ref. No.: VX-1187/1187A

PTO/SS/01A (08-03)

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention | **WAVEFRONT CALIBRATION ANALYZER AND METHODS**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/799,439, filed on March 12, 2004,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor 1 JUNZHONG LIANG Date: _____

Signature: _____ Citizen of: United States

Inventor 2 DIMITRI CHERNYAK Date: _____

Signature: _____ Citizen of: United States

Inventor 3 KINGMAN YEE Date: _____

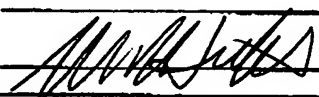
Signature: _____ Citizen of: United States

Inventor 4 SEEMA SOMANI Date: _____

Signature: _____ Citizen of: India

☒ Additional inventors are being named on additional form(s) attached hereto.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76) -
ADDITIONAL INVENTOR(S)
Supplemental Sheet
(Total of 1 forms are submitted.)**

FULL NAME OF INVENTOR(S)		
Inventor 5:	JEFFREY J. PERSOFF	Date:
Signature:		Citizen of: United States
Inventor 6:	WALTER HUFF	Date: 8/19/04
Signature:		Citizen of: United States
Inventor 7:	CHARLES CAMPBELL	Date:
Signature:		Citizen of: United States
Inventor 8:	CHARLES R. MUNNERLYN	Date:
Signature:		Citizen of: United States

Attorney Docket No. 018158-022520US
Client Ref. No.: VX-1187/1187A**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: JUNZHONG LIANG et al.Application No./Patent No.: 10/799,439Filed/Issue Date: March 12, 2004Entitled: WAVEFRONT CALIBRATION ANALYZER AND METHODS_____, a Delaware

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To : _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To : _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To : _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

8-20-04

Date

Telephone numberDouglas H. Post

Typed or printed name

Douglas H Post

Signature

President

Title

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby appoint:

☒ Practitioners associated with the Customer Number

20350

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

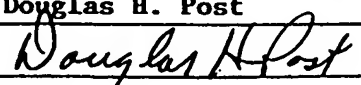
Assignee Name and Address:

VISX, INC.
3400 CENTRAL AVE.
SANTA CLARA, CA 95051

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Douglas H. Post		
Signature		Date	3-9-04
Title	President	Telephone	408-733-2020

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, DIMITRI CHERNYAK of 781 North Fair Oaks Ave., #6, Sunnvale, CA 94086; KINGMAN YEE of 1913 Fumia Place, San Jose, CA 95131; SEEMA SOMANI of 903 Erie Circle, Milpitas, CA 95035; JEFFREY J. PERSOFF of 5288 Romford Drive, San Jose, CA 95124-5634; WALTER HUFF of 737 Glenwood Cutoff, Scotts Valley, CA 95066; CHARLES CAMPBELL of 2908 Elmwood Ct., Berkeley, CA 94705; CHARLES R. MUNNERLYN of 1731 Marseilles Ct., San Jose, CA 95138; BRIAN BLIVEN of 416 Conestoga Way, San Jose, CA 95123 hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **WAVEFRONT CALIBRATION ANALYZER AND METHODS**

Date(s) of execution of Declaration: 6/29/04, 6/16/04, 6/25/04, 8/11/04, 8/19/04
06/21/04, 06/22/04

Filing Date: **March 12, 2004**

Application No.: **10/799,439; and**

WHEREAS, **VISX, Incorporated**, a corporation of the state of Delaware, located at 3400 Central Expressway, Santa Clara, CA 95051-0703, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignor hereby authorizes and requests Townsend and Townsend and Crew LLP, Two Embarcadero Center, Eighth Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignor has signed his/her name on the date indicated.

Dated: 06/29/04


JUNZHONG LIANG

Dated: 06/16/04

Dated: 6/16/04

Dated: 06/25/2004

Dated: 6/21/04

Dated: _____


Dated: 6/16/04

Dated: 6/22/04

Dated: _____


DIMITRI CHERNYAK


KINGMAN YEE


SEEMA SOMANI


JEFFREY J. PERSOFF


WALTER HUFF
CHARLES CAMPELE


CHARLES R. MUNNERLYN

BRIAN BLIVEN

Assignment

Attorney Docket No.: 018153-022520US

Page 2

Dated: _____

DIMITRI CHERNYAK

Dated: _____

KINGMAN YEE

Dated: _____

SEEMA SOMANI

Dated: _____

JEFFREY J. PERSOFF

Dated: 8/19/04



WALTER HUFF

Dated: _____

CHARLES CAMPBELL

Dated: _____

CHARLES R. MUNNERYLYN

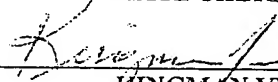
Dated: _____

BRIAN BLIVEN

Dated: 06/16/04


DIMITRI CHERNYAK

Dated: 6/16/04


KINGMAN YEE

Dated: _____

SEEMA SOMANI

Dated: _____

JEFFREY J. PERSOFF

Dated: _____

WALTER HUEB


Dated: 6/16/04

CHARLES CAMPELL

Dated: _____

CHARLES R. MUNNERLYN

Dated: 8/11/04


BRIAN BLIVEN